

File No.: 10458-9US SC/sm

Montreal, Canada
December 7, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 13 2006

OFFICE OF PETITIONS

Application: Michel MANARAS et al.
Serial No.: 08/272,002
Filed: July 8, 1994
Title: "Override Device for Allowing Manual Operation of a Closure
Normally Operated by an Electric Motor"
Group Art Unit: 3502

LETTER

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Further to the United States Patent Office decision on August 22, 2006 to dismiss Applicant's Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment of the above identified patent application, please note that the undersigned Agent did not receive any copy of the decision from the United States Patent Office.

The undersigned Agent of Record was made aware of the United States Patent Office's decision by his U.S. representative Marvin S. Townsend to whom the United States Patent Office had sent a courtesy copy of the Decision. Please make sure that all future correspondence be sent to the Attorney/Agent of Record at:

Ogilvy Renault LIP
1981 McGill College
Suite 1600
Montreal, Quebec, Canada H3A 2Y3

Customer No.: 020988

This corresponds to the address currently of record.

Enclosed herewith are the following:

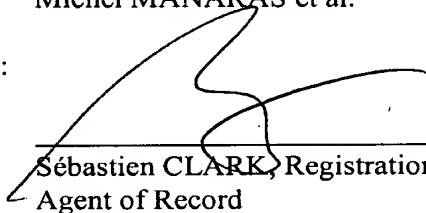
- 1) Petition For Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b).
- 2) A copy of the required substitute Declaration previously submitted on July 21, 1997.
- 3) Terminal Disclaimer
- 4) Reply and Statements establishing unintentional delay with enclosures.

The Commissioner is hereby authorized to charge payment of the required Petition Fee of **\$750.00** under 37 CFR 1.17(m) and the Terminal Disclaimer Fee of **\$65.00** under 37 CFR 1.20(d) as well as any other required processing fee under 37 CFR 1.17 to **Deposit Account 19-5113**.

Respectfully submitted,

Michel MANARAS et al.

By:



Sébastien CLARK, Registration No. 56651
Agent of Record
OGILVY RENAULT LLP
1981 McGill College Avenue #1600
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Encl

File No.: 10458-9US SC/sm



Montreal, Canada
December 7, 2006

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Application: Michel MANARAS et al.
Serial No.: 08/272,002 Confirmation No.
Filed: July 8, 1994
Title: "Override Device for Allowing Manual Operation of a Closure
Normally Operated by an Electric Motor"
Group Art Unit: 3502

**REPLY
and
STATEMENTS ESTABLISHING UNINTENTIONAL DELAY**

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Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby submits statements establishing unintentional delay with regard to the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b).

- 1) A Notice of Allowance and a Notice of Allowability were mailed January 2, 1997.
- 2) The Issue Fee, a Certified Copy of a foreign patent and an Amendment under 37 CFR 1.312 were timely filed April 2, 1997.
- 3) The Notice of Allowability required submission of a substitute Oath or Declaration.

4) the substitute Declaration was filed July 22, 1997 but Applicant unintentionally failed to obtain an extension of time. A copy of the Declaration is resubmitted herewith in reply to the Notice of Allowability.

5) The application became abandoned on April 2, 1997.

6) The Office mailed a Notice of Abandonment on September 24, 1998. The Notice erroneously stated that the application was abandoned because the Issue Fee had not been received.

7) Applicant never received the Notice of Abandonment.

8) In the interval, Applicant filed several Status Inquiries for which Applicant never received any answer.

On August 19, 2005, Marvin S. Townsend was given Power to Inspect this file. Mr. Townsend learned that the patent application was abandoned since April 3, 1997 for failure to pay the Issue Fee.

A Petition to Withdraw a Holding of Abandonment was filed on September 14, 2005. A copy of the Petition and enclosures thereof are attached hereto.


The Petition was dismissed on August 22, 2006 as not addressing the real reason why the Application became abandoned (i.e., failure to timely reply to the Notice of Allowability).

Confirmation that the present Petition for Revival of an Application for Patent
Abandoned Unintentionally has been granted is respectfully requested.

Respectfully submitted,

Michel MANARAS et al.

By:



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